



**ACT**  
Government

Justice and Community Safety



# Victim Support ACT

## Annual Report 2013-14

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# Contents

Omissions	iv
Acronyms	iv
<b>A. Transmittal certificate</b>	<b>1</b>
<b>B. Overview</b>	<b>3</b>
B.1 Organisational Overview	3
B.2 Performance Analysis	7
B.2.1 Strategic indicator	7
B.2.2 Performance indicator	7
B.2.3 Strategic Goal 1: Build a responsive, accessible and flexible service for all victims of crime	7
B.2.4 Strategic Goal 2: Strengthen stakeholder engagement	21
B.2.5 Strategic goal 3: Support the role and function of the Victims of Crime Commissioner and Domestic Violence Project Coordinator	23
B.2.6 Strategic Goal 4: Build and support staff capability	35
B.2.7 Strategic Goal 5: Improve systems and processes	38
B.3 Community Engagement and Support	38
B.4 Ecologically Sustainable Development	38
<b>C. Governance and Accountability Reporting</b>	<b>41</b>
<b>D. Legislation Based Reporting</b>	<b>42</b>
<b>E. Human Resources Management Reporting</b>	<b>43</b>
E.2 Learning and Development	43
E.5 Staff Profile	43
<b>F. Financial Management Reporting</b>	<b>45</b>
F.5 Government Contracting	45
F.6 Statement of Performance	46

## Omissions

The following items are reported in the Annual Report of the ACT Justice and Community Safety Directorate

- C.1 Internal Accountability**
- C.2 Risk Management and Internal Audit**
- C.3 Fraud Prevention**
- C.4 Legislative Assembly Inquiries and Reports**
- C.5 Auditor-General and Ombudsman Reports**
- D.1 Public Interest Disclosure**
- D.2 Freedom of Information**
- D.3 Human Rights Act**
- D.4 Territory Records Act**
- D.5 Model Litigant Guidelines**
- D.6 Notices of Non Compliance**
- D.7 Bushfire Risk Management**
- D.8 Commissioner for the Environment**
- E.1 Human Resources Management**
- E.3 Work Health and Safety**
- E.4 Workplace Relations**
- F.1 Financial Management**
- F.2 Financial Statements**
- F.3 Capital Works**
- F.4 Asset Management**

## Acronyms

ALRC	Australian Law Reform Commission
CALD	Culturally and linguistically diverse
CRCC	Canberra Rape Crisis Centre
DPP	Office of the Director of Public Prosecutions
DV	Domestic violence
DVCS	Domestic Violence Crisis Service
DVPC	Domestic Violence Prevention Council
FAS	Financial Assistance Scheme
FVIP	Family Violence Intervention Program
SARP	Sexual Assault Reform Program
SCLJ	Standing Council on Law and Justice
VoCC	Victims of Crime Commissioner
VSACT	Victim Support ACT

## A. Transmittal certificate



Mr Simon Corbell MLA  
Attorney-General  
ACT Legislative Assembly  
London Circuit  
Canberra ACT 2601

Dear Mr Corbell,

I am pleased to submit to you this Annual Report that has been prepared under section 6(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements under the Annual Report Directions.

It has been prepared in conformity with other legislation applicable to the preparation of the Annual Report by the Victims of Crime Commissioner.

I certify that the attached Annual Report is an honest and accurate account and that all material information on the operations of Victim Support ACT during the period 1 July 2013 to 30 June 2014 has been included.

I hereby certify that fraud prevention has been managed in accordance with Public Sector Management Standards, Part 2.

Section 13 of the *Annual Reports (Government Agencies) Act 2004* requires that you cause a copy of the Report to be laid before the Legislative Assembly within 3 months of the end of the financial year.

Signed and dated by



John Hinchey  
ACT Victims of Crime Commissioner  
12 September 2014



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## B. Overview

### B.1 Organisational Overview

Victim Support ACT is an agency within the Justice and Community Safety Directorate and administers a range of services and programs for victims of crime and their families. The agency supports the independent statutory positions of Victims of Crime Commissioner and Domestic Violence Project Coordinator.

The Victims of Crime Commissioner position is established pursuant to section 7 of the *Victims of Crime Act 1994*.

The Victims of Crime Commissioner manages the victims services scheme and as such, is the agency head of Victim Support ACT.

The functions of the Victims of Crime Commissioner are listed in section 11 of the *Victims of Crime Act 1994* and are as follows:

- a) to manage the victims services scheme and any other program for the benefit of victims;
- b) to advocate for the interests of victims;
- c) to monitor and promote compliance with the governing principles;
- d) to ensure concerns and formal complaints about non-compliance with the governing principles are dealt with promptly and effectively;
- e) to ensure the provision of efficient and effective services for victims;
- f) to consult on and promote reforms to meet the interests of victims;
- g) to develop educational and other programs to promote awareness of the interests of victims;
- h) to distribute information about the operation of this Act and the commissioner's functions;
- i) to ensure that victims receive information and assistance they need in connection with their involvement in the administration of justice;
- j) to encourage and facilitate cooperation between agencies involved in the administration of justice with respect to victims;
- k) to advise the Minister on the matters relating to the interests of victims;
- l) any other function given to the commissioner under this Act or another territory law.

By separate appointment, the Victims of Crime Commissioner also performs the statutory functions of the Domestic Violence Project Coordinator under the Domestic Violence Agencies Act 1986. The Domestic Violence Project Coordinator provides assistance to the Domestic Violence Prevention Council.

Victim Support ACT's mission and values are the guiding principles for the organisation. These principles inform the strategic priorities we will apply during 2014-2016. Over the next three years we will focus on increasing the visibility of our service in the community, while managing any increases in demand that stem from this activity. We will be responsive to the emerging needs of victims within the ACT community. We will continue to develop strong and productive relationships with key individuals and stakeholders.

Victim Support ACT will play an active role in supporting victim involvement in, and reforms related to, the administration of justice. We will advocate for victims in the administration of justice in support of functions of the Victims of Crime Commissioner.

We will value, support and build staff capability. Our services will be further strengthened by implementing innovative operational measures. The strategic plan for 2014-16 sets out how we will act to achieve our mission and goals.

## **Mission**

Victim Support ACT promotes and supports the rights and interests of victims of crime and their families in the ACT. Our mission is to deliver the victims services scheme according to the *Victims of Crime Regulation 2000* and to support the community awareness and justice advocacy functions of the Victims of Crime Commissioner.

## **Vision**

Victim Support ACT contributes to the vision of the Justice and Community Safety Directorate for a fair, safe and peaceful community where people's rights and interests are respected and protected.

## **Our Values**

Victim Support ACT applies the ACT Public Service values of *Respect, Integrity, Collaboration and Innovation* and these values will be evident in our work practices and behaviours. We practice these values within our team first and foremost, thereby building our capacity to reflect these values in our dealings with clients and stakeholders more generally.

## **Respect**

The value of respect will be demonstrated within and outside VSACT by:

- valuing and acknowledging the diversity, experience and perspectives of those with whom we interact;
- valuing and acknowledging the contribution of our colleagues;
- ensuring staff who administer authority do so with a sense of service to others, recognising the inherent talents and equality of VSACT staff members; and
- relating to colleagues, clients and stakeholders in a fair, decent and professional manner.



## Integrity

The value of integrity will be demonstrated within and outside VSACT by:

- being true to ourselves and each other;
- being willing to have honest and professional conversations with each other, even when these conversations are difficult;
- taking responsibility and being accountable for our decisions and actions;
- engaging genuinely with our clients and stakeholders; and
- advocating appropriately for the rights and needs of victims in the ACT.

## Collaboration

We will work collaboratively by:

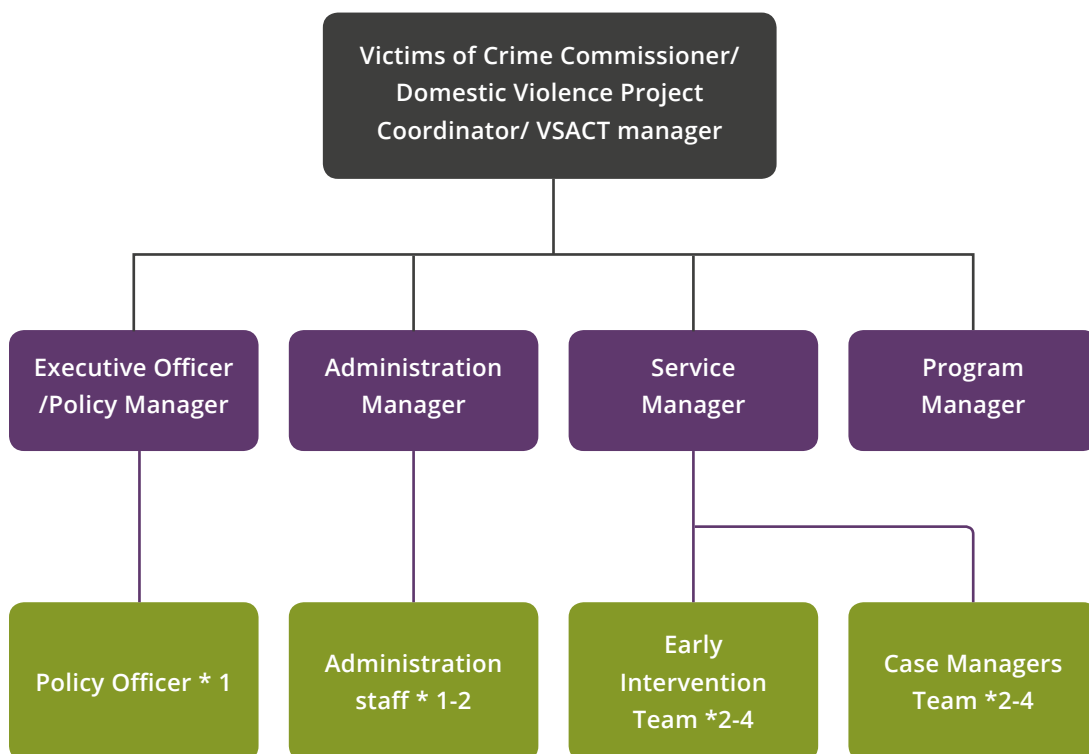
- working in partnership with each other, with clients and across agencies;
- recognising and supporting our shared goals within VSACT;
- recognising and supporting the goals we have in common with other agencies; and
- promoting open communication, discussion and feedback for problem solving.

## Innovation

We will be an innovative organisation by:

- looking for ways to continuously improve our services and skills;
- promoting creativity, reflection, flexibility and adaptation;
- responding to changing needs; and
- being open to learning, change, new ideas and multidisciplinary perspectives.

## Organisational Chart



## Strategic Goals

This annual report is structured to outline our performance against our strategic goals:

1. Build a flexible, responsive and accessible service for all victims of crime.
2. Build relationships with key individuals and strengthen our stakeholder engagement.
3. Support the role and function of the Victims of Crime Commissioner and Domestic Violence Project Coordinator.
4. Build and support staff capacity.
5. Improve systems and processes.

## B.2 Performance Analysis

### B.2.1 Strategic indicator

The strategic indicator for the Victims of Crime Commissioner (VoCC) is the number of community members made aware of their rights. This strategic indicator is consistent with Justice and Community Safety Directorate's Strategic Objective 5 – Promotion and Protection of Rights and Interests.

The measure for this is based on the number of information sheets that are provided to community members by Victim Support ACT (VSACT) and the VoCC. The target for 2013-14 was 650. The actual number of information sheets provided was 947, exceeding the target by 46%.

**Table 1: Performance against the strategic indicator 2011-2014**

Measure	2011-12	2012-13	2013-14
Target	569	570	650
Actual	656	828	947
Variance on target	15%	45%	46%

### B.2.2 Performance indicator

The performance indicator (accountability indicator) for VSACT is the percentage of referrals that are responded to within five working days. This performance indicator is consistent with the Justice and Community Safety Directorate's Accountability Indicators for Output 1.5 – Protection of Rights.

**Table 2: Performance against the accountability indicator 2011-2014**

Measure	2011-12	2012-13	2013-14
Target	80%	80%	90%
Actual	97%	96%	98%
Variance on target	21%	20%	9%

### B.2.3 Strategic Goal 1: Build a responsive, accessible and flexible service for all victims of crime

#### Client service delivery

A total of 1041 new enquires (including referrals) were received during the reporting period. New enquiries were managed and recorded differently from previous years to reflect maturity of our intake and assessment processes and to achieve administrative efficiencies. In 2013-2014, only referrals that required case management were categorised as 'registered' clients. Those that required a less involved level of assistance, such as information, referral to more appropriate

services or other one-off activities, were not categorised as being ‘registered’ for the victims services scheme – see table 3 for details.

**Table 3: Total new enquiries managed by Victim Support ACT in 2013-2014**

Enquires	2013-14
New clients registered for case management	499
New clients not registered for case management	312
Repeat or secondary referrals for existing clients	113
Existing registered clients with new episodes of victimisation	46
Advice or information only	71
Total number of new enquiries / referrals	1041

Clients who are registered for case management receive ongoing services from VSACT, including assessment, goal planning, support with resolution of concerns and complaints, court support, advocacy, psycho education, and higher-level advocacy with the Victims of Crime Commissioner as appropriate. Many clients of case management will also receive therapeutic services including counselling. Counselling may be provided directly by case managers or by external mental health professionals under the victims services scheme depending on the needs and wants of each individual.

In addition to the new enquiries for the year, a significant number of clients were carried through from previous years. During 2013-14, a total of 1518 people were assisted by VSACT.

**Table 4: Referral sources 2013-14**

Referral source	2013-14
ACT Policing and Supportlink referral program	42%
Self	27%
Family	8%
Domestic Violence Crisis Service	7%
Office of the Director of Public Prosecutions	5%
Wraparound <sup>1</sup>	4%
Other	7%

As shown in table 4, the majority of referrals to VSACT are received from ACT Policing, either directly or through the referral service, Supportlink, with clients self-referring being the second highest percentage.

<sup>1</sup> Wraparound is ACT’s coordinated response to sexual assault matters.

**Table 5: Time from incident to referral 2013-14**

Time from incident to referral	2013-14
Referral received within one month	47%
Referral received within six months	14%
Referral received within one year	9%
Referral received within two years	9%
Offence occurred over two years before referral received	21%

Table 5 highlights that people who are harmed by crime often take some time to report the crime that has been committed against them or seek support to manage the impacts of the crime.

**Table 6: Client gender distribution 2013-14**

Gender	2013-14
Female	72%
Male	28%

**Table 7: Cultural diversity of clients 2013-14**

Client identifies as	2013-14
Aboriginal or Torres Strait Islander	4.5%
Culturally and Linguistically Diverse Background	13.5%
Neither Aboriginal nor Torres Strait Islander or CALD	75%
Unspecified	7 %

**Table 8: Type of victim 2013-14**

Type of victim	2013-14
Primary	83%
Witness	5%
Related	12%

A significant majority of VSACT clients are those who have been directly harmed by the incident of crime (primary victims).

In 2013-14, the VSACT database was adjusted to capture offence types consistent with the Australian and New Zealand Standard Offence Classification (ANZSOC). This shift will enable VSACT to make comparisons across Australian and New Zealand jurisdictions regarding service provision and client demographics.

**Table 9: Type of offence 2013-14**

Type of offence	2013-14
Abduction, harassment and other offences	7.5%
Acts intended to cause injury - Assault	34.5%
Acts intended to cause injury - Domestic Violence	23.5%
Dangerous and negligent acts	2%
Homicide and related offences	2%
Offences against government - Breach Order	1.8%
Robbery, extortion and related offences	4%
Sexual assault and related offences	21.2%
Unlawful entry with intent/burglary, break and enter	2%
Other	1.5%

Table 9 highlights that the majority of people making contact with VSACT are victims of a personal crime, primarily assault, domestic violence and sexual offences.

**Table 10: Relationship of client to offender 2013-14**

Relationship to offender	2013-14
Family member	15%
Ex-partner	20%
Partner	4%
Known others	25%
Neighbour	4%
Not known	30%
Unspecified	2%

Table 11 highlights that 74% of all sexual assault victims referred to Victim Support ACT were under the age of 18 at the time of incident. However, the average age at time of referral indicates that many victims of sexual assault do not access our services until they are adults. Delay in reporting sexual assault offences to authorities is particularly common. Sexual assault can have long-term impacts, particularly when experienced by children. It takes great energy and commitment for sexual assault victims to disclose sexual abuse, particularly historical abuse so often associated with interfamilial sexual assault. Victims of sexual assault are still the least likely of all victims of crime to report to police and the most likely to delay reporting to police.

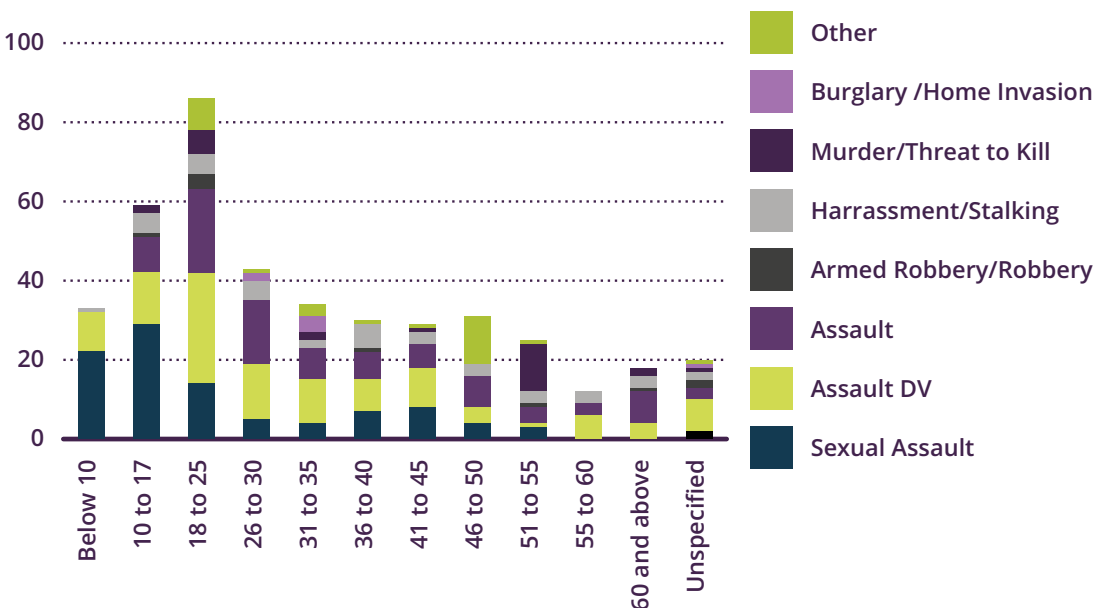
**Table 11: Child sexual assault 2013-14**

**Clients who experienced sexual assault**

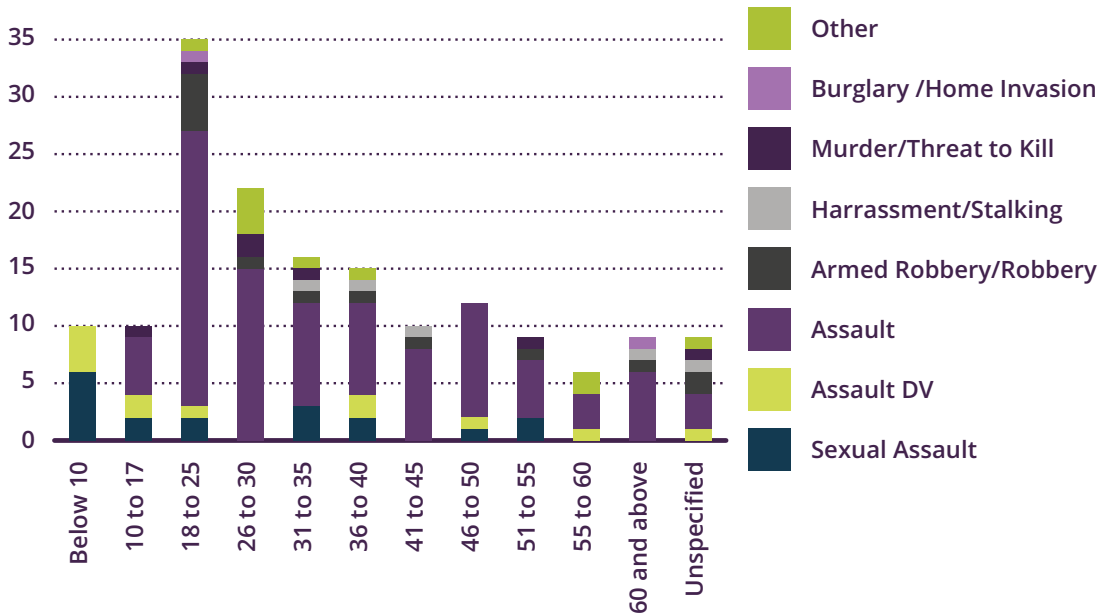
Years	% of total sexual assault victims	Average age at incident	Average age at referral
<b>Below 10 years</b>	33%	6	24
<b>10 to 17 years</b>	41%	13	21

Our client profile (as highlighted in tables 12 and 13) demonstrate that young people are more likely to present as victims of crime than any other age group, with 52% of female clients and 47% of male clients having experienced a crime before the age of 31. The type of offence experienced differs depending on gender.

**Table 12: Number of female clients by age at incident and type of offence 2013-14**



**Table 13: Number of male clients by age at incident and type of offence 2013-14**



### Recognition of the Early Intervention Team

In March 2014, our Victim Support ACT Early Intervention Team was recognised with a Justice and Community Safety Director-General award for exceptional and efficient customer service. The Early Intervention Team is our first point of contact with the public. The team was recognised for managing a significant increase in service enquiries and referrals.



**Image 1: Members of the Early Intervention Team with their award**



## Supporting and engaging Aboriginal and Torres Strait Islander victims of crime

Our strategic action plan 2014-16 outlines two focus areas relating to Indigenous Australian victims of crime. The first seeks to increase the number of Aboriginal and Torres Strait Islander people accessing our service and the second is to develop the capacity of staff to successfully engage with them. The Victims of Crime Commissioner and VSACT staff members participated in a number of activities and events in order to raise the profile of Victim Support ACT among ACT's Aboriginal and Torres Strait Islander community.

- We hosted a market stall at the NAIDOC on the Peninsula event on 7 July 2013. Throughout the day the Aboriginal and Torres Strait Islander community helped to make a beautiful wall hanging, which is now displayed in our office.
- The Victims of Crime Commissioner hosted a Galambany Court Victim Participation Community Discussion with the community on 21st March 2014. Important input was provided by Victor Darcy who coordinates the Circle Sentencing Court in Kempsey, NSW. VSACT was most appreciative for Victor's important contribution and thanks him for his attendance. The Restorative Justice Unit from the Justice and Community Safety Directorate was also instrumental in conducting this consultation process. Ms Lynnice Keen from the Justice and Community Safety Directorate facilitated the day in a most competent fashion. The outcome from the day was that the Galambany Circle Sentencing Court has agreed to start including victims of crime in their processes.
- Victim Support ACT hosted a stall at the Aboriginal and Torres Strait Islander – Legal Aid Family & Community Cultural & Information Day – Community and Legal Expo on Saturday 12 April 2014.
- Two staff members attended the National Sorry Day March across Commonwealth Avenue Bridge on 23 May 2014.
- In 2011, Victim Support ACT and Relationships Australia Canberra and Region (RACR) entered into a Memorandum of Understanding (MoU). The MoU sought to increase access to service for Aboriginal and Torres Strait Islander victims of crime, by facilitating referral of these clients to the Aboriginal and Torres Strait Islander counsellors from the RACR Graduate Program. Victim Support ACT and RACR are currently in the process of renewing the MoU – it is anticipated that it will be signed and functioning by the end of 2014.
- VSACT sponsored a table at the 2014 ACT and Region Indigenous Excellence Awards dinner on 23rd June 2014 at The Abbey. The evening showcased high achieving Indigenous people and highlighted achievements in education, training and employment across the local area.



Image 2: the NAIDOC on the Peninsula wall hanging



**Image 3: Victim Support ACT at the Legal Aid Family & Community Cultural & Information Day**

### **Supporting victims of family violence – family violence case tracking**

During 2013-14, Victim Support ACT resumed attending the family violence case tracking meetings. The case tracking meetings provide linked-up support to victims of family violence involved in criminal justice processes. Case tracking meetings are a part of a larger initiative – the Family Violence Intervention Program – set up to ensure an interagency response to family violence in the ACT. This year Victim Support ACT was also involved in providing input into a case tracking review and renewal process (more information about the case tracking review is provided later in this report).



## Supporting victims of sexual assault

### ***The Sexual Assault Reform Program***

The Victims of Crime Commissioner has continued to sit as a member for the ACT Sexual Assault Reform Program (SARP) reference group, which was developed in response to the *Responding to Sexual Assault: the challenge of change* report.<sup>2</sup> In particular, the SARP Reference Group was established to:

- a) improve processes and support for victims of sexual offences as they progress through the criminal justice system;
- b) reduce attrition in sexual offence matters in the criminal justice system; and
- c) improve coordination and collaboration among agencies involved in the criminal justice system.

### ***The SARP 'Wraparound' meetings***

Victim Support ACT continued to attend monthly 'Wraparound' support meetings. These meetings were established as a part of the Sexual Assault Reform Program and seek to ensure that victims of sexual offences who have reported the incident/s to the police are supported throughout the criminal justice process. From July 2013 to June 2014, the Wraparound program referred 48 victims of sexual offences to Victim Support ACT.

### ***Removal of limitation periods for certain historic sexual offences***

The 2013-2014 financial year saw the removal of limitation periods for the prosecution of certain historic sexual offences. The limitation periods meant that the prosecution of certain offences had to commence within 12 months of the offence occurring. These offences included:

- carnally knowing a girl between ten and sixteen;
- attempt to carnally know a girl between ten and sixteen;
- indecent assault of girl under sixteen;
- buggery;
- attempt to commit buggery; and
- indecent assault of a male.

The amendments commenced on 10 December 2013 and mean that prosecution for these offences can now occur outside the previous 12-month limitation period. This was a welcome legislative reform. Sexual assault can cause long term harm, particularly to children, and the associated trauma can have significant debilitating impacts. Denying victims of sexual assault and abuse the opportunity for justice because they did not report the offences in a timely manner indicated a misinformed understanding of the dynamics of sexual assault.

<sup>2</sup> Office of the Director of Public Prosecutions and Australian Federal Police, *Responding to Sexual Assault: the challenge of Change*, 2005, Canberra: Director of Public Prosecutions.

## ***Voyeuristic Offences***

I am hopeful that the next financial year will see the introduction of legislation aimed at prohibiting sexual offences involving the use of cameras and other recording devices. Other jurisdictions have passed similar legislation aimed at the use of cameras (including mobile phone cameras and webcams) to record or broadcast sexual activity without the consent of the person being filmed.

Underlying these inappropriate voyeuristic behaviours are attitudes that condone the sexualisation of women and children. It is young women aged 15-24 who are most likely to experience sexual assault and it is women and children who are typically the victims of unauthorised visual images.

Clients of VSACT who have been subjected to voyeuristic offences describe levels of harm equivalent to that of victims of other less violent sexual offences. They are often embarrassed and angered about the invasion of their privacy, and anxious about who may be in possession of the images. The potential for serious harm is exacerbated by the capacity of technology. This behaviour should be criminalised.

## ***Summer of Respect Campaign***

From October 2013 to March 2014, Victim Support ACT participated in the Summer of Respect anti-sexual violence campaign working group. The Women's Centre for Health Matters and Canberra Rape Crisis Centre lead the collaborative project. The 2013-14 summer period saw the introduction of three initiatives:

- an Avant Card campaign, where 10,000 free postcards were distributed through ACT cafes, restaurants, theatres, schools and universities;
- a short animation distributed online via media outlets such as YouTube and Facebook; and
- a poster campaign for distribution in men's toilets in pubs, clubs and other social venues.

The initiatives focused on bystander engagement by highlighting positive ways in which bystanders can safely call out and address sexual violence with their mates.

The website, [www.whattosay.org.au](http://www.whattosay.org.au) was developed as a way to draw together the three campaign initiatives. It was designed to be a source of information for those interested to take further action and further engage with the campaign.

## **Assisting victims of crime with disabilities to access appropriate, holistic services**

It is difficult for any woman to escape violence but there are additional barriers for women with disabilities, such as finding safe, temporary accommodation that can provide appropriate daily personal care or support services.

In June 2012, the office of the ACT Disability and Community Services Commissioner convened a meeting to discuss concerns about gaps in services for women with disabilities trying to escape domestic violence and sexual assault.

That meeting led to the establishment of a Steering Committee<sup>3</sup> to oversee the management of a project to develop solutions for providing support to women with disabilities who are in crisis as a result of domestic violence or sexual assault. In June 2014 the ACT Disability and Community Services Commissioner (the Commissioner) provided a report to Government, pursuant to section 87 of the *Human Rights Commission Act 2005*.

The report *Developing an ACT crisis response to women with disabilities who experience domestic violence and/or sexual assault* examined the gaps in service delivery for these women with disabilities needing to escape violence and/or sexual assault. The report recommends enhancement of the current ACT crisis response to these women.

In the coming year Victim Support ACT will work toward developing a Memorandum of Understanding with the Domestic Violence Crisis Service and the Canberra Rape Crisis Centre to progress the recommendations contained in the Commissioner's report.

### **Services for children who are victims of crime: the Mulberry Street program**

The Mulberry Street program provides assistance to children, young people and their families, whose lives have been affected by serious crimes such as domestic violence, sexual assault, or neglect.

The Mulberry Street program is designed to recognise that the personal circumstances of each child/young person is unique and aims to develop a flexible support package that supports the potential of each individual. The work of Mulberry Street is performed collaboratively, with the client, the family/primary caregiver and external services including schools and health professionals. Case managers also advocate on behalf of the client and their family.

Clients of the Mulberry Street program may be provided with assistance to access tutoring, after school activities, sports, dance and drama programs as appropriate. Long-term positive outcomes for the child or young person are sought, by encouraging competence and proficiency in safe environments.

#### ***Illustrative case example***

James joined the Mulberry Street Program at 12 years of age. He had experienced and witnessed family violence during his early years. He presented as having problems at school, difficulty making friends and was often angry at home. His sleep patterns were very poor and James would often wake in the morning exhausted.

James wanted to work on his schooling, so an educational assessment was undertaken. A referral was made to a specialist educator for tutoring and school support and James embarked on a twelve month learning support package facilitated by Victim Support ACT.

As a result of his involvement in the Mulberry Street program, James' ability to learn has improved and he is more settled and attentive in class. James said 'I feel like I can read and write so much better now and I've even made some friends.'

<sup>3</sup> The Disability and Community Services Commissioner, DVCS, Canberra Rape Crisis Centre, Victims of Crime Commissioner, Women with Disabilities ACT and Disability ACT.

## The Side By Side volunteer program

Victim Support ACT contracts Communities@Work to deliver a volunteer program called *Side by Side*. The volunteer program:

- provides court support to victims of crime who are registered clients of Victim Support ACT;
- assists victims of crime to apply for financial assistance through the ACT Government's financial assistance scheme;
- provides practical assistance to victims of crime and administrative assistance to the Victims of Crime Commissioner as agreed in writing between parties; and
- conducts a community awareness raising program to promote the interests of victims of crime.

During 2013-14, the Side by Side volunteer program provided court support to 50 victims of crime over 250 hours. Side by Side volunteers also provided assistance to 30 Victim Support ACT clients to prepare applications for the ACT Government's financial assistance scheme (over 23.4 hours).

**Table 14: Number of people provided with information about the rights of victims**

Measure	2012-13	2013-14
Target	500	500
Actual	547	528
Variance on target	9%	6%

**Table 15: Number of people provided with 'Protecting your Home' guide**

Measure	2012-13	2013-14
Target	500	500
Actual	575	534
Variance on target	15%	7%

During 2013-14, nine volunteers attended the Side by Side training including court orientation. This year Communities@Work and VSACT worked together to prepare a community or 'breakout' room at the Magistrates Court. This room will be used by victims as a base to provide a quiet safe place to clients at the court. The room will also be utilised by victims during jury deliberations.

## Support for victims of crime in applying for money under the Financial Assistance Scheme

Victim Support ACT assists clients to access information and provides support to clients to make applications under the ACT Government's Financial Assistance Scheme (FAS). Applications for financial assistance are made to the ACT Magistrates Court under the *Victims of Crime (Financial Assistance) Act 1983*. The ACT Government Solicitor's Office is responsible for assessing applications and making a recommendation to the court about awards.

Victim Support ACT assists clients by:

- providing information about the scheme;
- making referrals for legal assistance;
- assisting clients to complete applications;
- lodging applications;
- attending out of time hearings with clients at the ACT Magistrates Court;
- attending conferences with clients at the ACT Magistrates Court;
- advocating on behalf of clients with the ACT Government Solicitor's Office and the ACT Magistrates Court;
- supporting victims to cope with distressing material such as medical notes and/or psychological assessments; and
- record keeping.

A senior officer position was established in 2012-13 to case manage clients with complex financial assistance applications and the position continued in the reporting period. This dedicated position has been valuable in supporting victims of crime to access their entitlements under the FAS. Two volunteers from the Side by Side program also assisted clients applying for FAS.

Of the VSACT clients that were assisted with the FAS in the past year:

- 75% were male and 25% were female;
- a majority (57%) were aged 18 to 30; and
- 7% were victims of domestic violence.

Victim Support ACT worked with Legal Aid ACT, the Women's Legal Centre and Clayton Utz – who provided legal advice to FAS applicants. VSACT values the support these organisations provide to victims of crime.



## Support for family members of homicide victims

Family members and loved ones of victims of homicide receive holistic services from Victim Support ACT. Losing a loved one through an act of violence is often incomprehensible. These clients frequently report that life has lost meaning and that the pain of their sorrow is persistent, extreme and inescapable.

The traumatic grief caused by murder does not follow a predictable course and the complicated mourning which follows may be prolonged by the legal system, the attitudes of society, the nature of the crime and the final outcome of the case.

A homicide creates a range of unique and complex circumstances which can become overwhelming and interfere with daily living and recovery. Case managers are trained in the areas of grief, loss and complicated bereavement in order to provide this support sensitively and effectively.

Case managers work closely with related victims, including children, and significant others. Emotional support, practical assistance, counselling, case management and court support is provided to clients throughout the duration of the justice process. Close collaboration with various agencies is required and case managers work alongside ACT Policing and Office of the Director of Public Prosecutions to ensure that communication and support is available to clients when it is most needed.

## B.2.4 Strategic Goal 2: Strengthen stakeholder engagement

### Stakeholder engagement, collaboration and networking

During 2013-14, Victim Support ACT was involved in the following relationship building and networking activities.

- Hosted networks including the ACT Community Recovery Counselling Sub-committee quarterly meetings; Trauma Recovery Centre Working Group; and the ACT Government HP3 (health Professional 3) Upgrade Scheme Review.
- Meet and greets with: the Chief Magistrate; the witness assistants from the DPP; ACT Women's Health; Toora Accommodation Support Service; Women's Legal Aid; StreetLaw; Menslink and ACT Morgue staff.
- Regular meetings with the Senior Witness Assistant at the Office of the Director of Public Prosecutions.
- Family Violence Intervention Program training to ACT Policing recruits.
- Developing our collaborative agreement with ACT Policing to help ensure that victims of crime are appropriately acknowledged, protected, informed and supported.

## Participation at Commonwealth level in relation to victim rights

### ***Victim Support Australia***

Victim Support Australia is the peak body representing generic victims of crime services across Australia. It exists to advance the interests of people victimised by crime and encourage development of support services throughout Australia whilst striving towards a crime-free society.

Victim Support ACT is a member organisation of Victim Support Australia and the ACT Victims of Crime Commissioner is the current secretary of Victim Support Australia.

Victim Support Australia is a partner organisation for the 15th International Symposium of the World Society of Victimology, which will be held at the Perth Convention and Exhibition Centre on the 5-9 July 2015. Other partner organisations for the symposium are the Australian Institute of Criminology and Angelhands, a Western Australian not for profit organisation that provides support and assistance to victims of serious crime.

### ***National Framework of Rights and Services for Victims of Crime 2013-2016***

Victim Support ACT has committed to contributing to the implementation plan for the *National Framework of Rights and Services for Victims of Crime 2013-2016* (the National Framework). The National Framework represents a commitment by all Australian jurisdictions to improve the national coordination of service to victims of crime against the person, to assist their recovery from the impact of crime and minimise re-victimisation in navigating the criminal justice system. Throughout 2013-14, Victim Support ACT provided feedback and information to other jurisdictions to assist them to complete their allocated implementation projects. The Victims of Crime Commissioner is a member of the Implementation Plan Working Group.

Victim Support ACT is also the lead agency for implementation strategy 4.3 – Identifying and reporting on good practice in providing services to victims of crime from culturally and linguistically diverse backgrounds. It is anticipated that by June 2016, an overview report will be completed, outlining good practice initiatives for engaging and supporting culturally and linguistically diverse victims of crime. This overview report will take into account the contributions and views of victim support agencies in other jurisdictions as well as local specialist multicultural support services.

## **B.2.5 Strategic goal 3: Support the role and function of the Victims of Crime Commissioner and Domestic Violence Project Coordinator**

### **Contribution to the Victims Advisory Board**

The Victims Advisory Board (the Board) is established by the *Victims of Crime Act 1994*. The Board advises the Minister on policies, priorities and strategies for the acknowledgement, protection and promotion of the interests of victims in the administration of justice; and if asked by the Minister, helps develop and maintain protocols and procedures for the treatment of victims by agencies involved in the administration of justice; and any other function given to the Board under the Act or another territory law.

The Board is made up of:

- a) the Director-General of Justice of Justice and Community Safety Directorate (Chair)
- b) the Victims of Crime Commissioner
- c) the Office of the Director of Public Prosecutions;
- d) ACT Policing;
- e) ACT Law Courts and Tribunal;
- f) Corrective Services;
- g) Youth Justice;
- h) Restorative Justice;
- i) three people who represent the interests of victims services groups;
- j) one person from the Indigenous community; and
- k) one person who is a lawyer.

The Victims Advisory Board considered the following issues in 2013-2014.

- Operational arrangements supporting the *Crimes (Sentence Administration) Act 2005* provisions that require the cancellation of parole at the time a parolee is convicted or found guilty of further offences committed while on parole.
- Operation of the Youth Justice Victims Register.
- The Sexual Assault Reform Program Evaluation Report.
- The review of the ACT Victims of Crime Financial Assistance Scheme.

## Domestic Violence Project Coordinator

Since 2011, the Victims of Crime Commissioner has also been appointed to be the ACT Domestic Violence Project Coordinator, an independent statutory position established pursuant to section 11 of the *Domestic Violence Agencies Act 1986*. The Coordinator has the following functions in relation to domestic violence:

- a) to monitor and promote compliance with the policies of the ACT and Commonwealth governments;
- b) to assist government agencies and non-government organisations involved in —
  - (i) law enforcement;
  - (ii) the provision of health, education, crisis or welfare; or
  - (iii) services to victims or perpetrators of domestic violence or otherwise relating to the incidence or prevention of domestic violence;
- c) to assist and encourage the agencies and organisations referred to in paragraph (b) to provide appropriate educational programs;
- d) to facilitate cooperation among the agencies and organisations referred to in paragraph (b);
- e) to assist in the development and implementation of policies and programs as directed by the Domestic Violence Prevention Council; and,
- f) to carry out any other functions the Domestic Violence Prevention Council directs.

The Domestic Violence Prevention Council (the Council), established under the *Domestic Violence Agencies Act 1986*, is an independent statutory body whose objective is to help reduce the incidence of domestic violence offences.

### **The new Chair of the Council**

On 5 May 2014, the Attorney-General appointed Ms Marcia Williams as Chairperson of the Council. Ms Williams is currently the Executive Director for the Women's Centre for Health Matters. Previously Ms Williams worked as a Senior Executive /National Manager in the Commonwealth public sector with roles focused on relationship management, consultation and liaison with external stakeholders, policy and strategy development and implementation, strategic planning and communication.

Ms Williams is a member of a number of Boards and Committees, including:

- the Governance Group informing the implementation of the ACT's Prevention of Violence Against Women and Children Strategy;
- the ACT's Joint Community Government Reference Group;
- the Women's Health Advisory Group; and,
- the ACT Women's Services Network.

Following Ms Williams' appointment, the Council agreed to renew its Strategic Plan and to develop an annual work plan. The Council will hold a planning day on 30 July 2014 to decide its future strategic direction and activities.

### ***Domestic Violence Prevention Council Seminars***

Earlier in 2014, the Council organised a series of seminars focused on services and system responses for underserved groups in the ACT. The series planned to cover culturally and linguistically diverse (CALD) victims of domestic or family violence, women with disabilities, LGBTIQ people and working with perpetrators of domestic violence.

I would like to acknowledge the generosity of the University of Canberra and Vice Chancellor Professor Stephen Parker for providing the Inspire Centre as a venue for the seminar series and for catering the functions.

Victim Support ACT organised the first of the seminars. Representatives from Companion House, Multicultural Youth Services and West Belconnen Child & Family Centre presented on their experiences of what works when responding to the needs of victims from CALD backgrounds.

The seminar was attended by over 60 people from a diverse range of services. Key issues that were identified during the seminar included:

- Develop networks between generalist multicultural services (e.g. Multicultural Youth Services) and specialist services (e.g. Canberra Rape Crisis Centre).
- Be creative and imaginative when seeking to engage communities (e.g. get involved in or support cultural events).
- Include 'the community' (not just the individual).
- Reconsider assumptions about what constitutes a positive outcome.
- If engaging in consultation and community development – follow through on requests from community.
- Allow time to build trust with communities and individuals.
- Using reflective listening – checking in to confirm understanding.
- Use interpreters. And ensure funding for interpreters.
- Be open to alternative cultural contexts.
- Develop cultural facilitators from CALD services.
- Be flexible with service delivery.

### ***ACT domestic violence death review***

In June 2014, the Attorney-General wrote to the Council, requesting it conduct a review of domestic violence deaths in the ACT. The Council has commenced work to identify the scope of the project and the Terms of Reference. It is expected that the review work will become a major focus of the Council in the coming year.

A similar review mechanism has been established in other jurisdictions. The Council will work toward developing working relationships with these jurisdictions to learn from their experiences. The Council also welcomed the offer of support for the project from the ACT Children and Young People Death Review Committee.

## Family Violence Intervention Program

The ACT Family Violence Intervention Program (FVIP) is an integrated and coordinated criminal justice and community program designed to respond to family violence incidents that come to police attention and proceed to prosecution. The FVIP integrates the activities of the police, prosecution, courts and corrections within the criminal justice system, and coordinates externally with other key agencies such as domestic violence advocacy services.

The FVIP partner agencies include:

- ACT Policing
- Officer of the Director of Public Prosecutions (DPP)
- ACT Law Courts and Tribunal
- Corrective Services
- Legislation, Policy and Programs, Justice and Community Safety Directorate
- Division of Women, Youth and Children, Health Directorate
- Care and Protection Services, Community Services Directorate
- Victims of Crime Commissioner (FVIP Chairperson)
- Domestic Violence Crisis Service (DVCS)
- Canberra Rape Crisis Centre (CRCC)
- Legal Aid ACT

During 2013-14, the FVIP Coordinating Committee progressed a number of the strategic planning priorities that were developed in June 2013 in response to the *ACT Family Violence Intervention Program Review* (2012) recommendations.<sup>4</sup>

### Strategic priority 1: review and renewal of case tracking

A case tracking process (the process) was established under the FVIP in the 1990s. This process was designed to facilitate interagency collaboration in response to family violence victims and offenders who are being prosecuted for family violence related offences.

At the strategic planning meeting of the FVIP for 2013-14, it was agreed that the process should be reviewed. The FVIP has identified that some changes should be made to the case tracking process to gain some efficiencies for participating agencies and to focus more closely on victim safety. The review will continue in 2014-15.

### Strategic priority 2: review of data collection and use

The FVIP commenced a review of data collection and its use. Historically, the Chair of the FVIP has collected family violence related data from participating FVIP agencies to contribute to reviews of the FVIP's activities and outcomes.

<sup>4</sup> T Cussen & M Lyneham, ACT Family Violence Intervention Program Review, 2012, Australian Institute of Criminology.

The FVIP considers it a priority to collect data that provides an informative picture of family violence in the ACT. This review will also continue in 2014-15.

### **Strategic priority 3: specialist family violence magistrate**

During 2013-14, the FVIP Coordinating Committee lobbied the Chief Magistrate to reinstate a specialist family violence magistrate. The FVIP Coordinating Committee welcomes the return of Magistrate Fryar in 2014, who has been allocated responsibility for the family violence court general list (known as the FV list).

### **Strategic priority 4: re-engagement of all member agencies**

The previous Memorandum of Agreement (MoA) for the FVIP was signed during 2004. The participating FVIP agencies considered it timely to draft a new MoA – with additional signatories. Prior to the MoA's completion, the Attorney-General wrote to participating agencies to request their recommitment to its operation. The new MoA was signed in May 2014.

### **Strategic priority 5: review of protection order processes, including service and enforcement**

This priority has been progressed through quarterly meetings of interested stakeholders with secretariat provided by the Magistrates Court. Representatives from the following agencies have attended: the ACT Court's Protection Unit, ACT Legal Aid Civil Practice, the DVCS Court Advocacy Program and the Service and Execution Team of ACT Policing. The meetings provide a regular forum for agencies to discuss issues of an operational nature such as: daily lodgement times, effectiveness of substituted service, filing and service of subpoenas by self-represented parties, prompt provision of court results, interim orders and bail conditions, stakeholder consultation on the new ACT Courts building, security issues and facilities for service providers.

### **Strategic priority 6: Australian Law Reform Commission and New South Wales Law Reform Commission joint report recommendations**

A number of community leaders, including the Chief Executive of Domestic Violence NSW<sup>5</sup> and, campaigner for White Ribbon Australia, Roger Yeo,<sup>6</sup> have recently called for domestic violence to be recognised as a 'national disaster'. Both have requested that the Prime Minister leads action in condemning and reducing the prevalence of violence against women.

5 U Malone & J Phillips, 'Domestic violence of epidemic proportions a 'national emergency': campaign groups', ABC News online: <http://www.abc.net.au/news/2014-05-05/domestic-violence-reaches-epidemic-proportions/5426214>

6 J Phillips, 'Domestic Violence: Rachelle Yeo's father urges men to address 'national human rights disaster'', ABC News online: <http://www.abc.net.au/news/2014-05-06/rachelle-yeos-father-pleads-for-change/5427002>

More recently, the Victorian Labor Leader Daniel Andrews committed to instituting a Royal Commission into domestic violence if that party wins the 29 November 2014 election.<sup>7</sup> This push has been supported by the child safety organisation Bravehearts.<sup>8</sup>

A sound platform to conduct any national response to domestic violence lies within the recommendations of the NSW and Australian Law Reform Commissions Inquiry report *Family Violence – A National Legal Response* (2010). The Standing Council on Law and Justice (SCLJ) Communiqué from 4th April 2013 endorsed a national response to the Australian and NSW Law Reform Commissions' report.

To date the national response has addressed 33 of the Commissions' recommendations. These were identified by the SCLJ as affecting jurisdictions jointly, with nine of those recommendations relating to collaboration between the family law and child protection systems referred to the National Justice Chief Executive Officers' project.

The Commissions' recommendations also align with the National Plan to Reduce Violence against Women and their Children 2010-2022. Its first three year action plan contained a key action item for the Commonwealth, states and territories to 'consider the recommendations of the Australian Law Reform Commission (ALRC) Inquiry into Family Violence' (strategy 5.3).

The FVIP has made it a strategic priority to progress the ACT's response to the Commissions' recommendations.

### **Strategic priority 7: develop a formal relationship with the Domestic Violence Prevention Council**

In 2013-14 the FVIP Coordinating Committee approached the Domestic Violence Prevention Council (DVPC) to suggest developing a collaborative agreement. The proposed purpose of this is to clarify how the work of the FVIP can complement the role and functions of the DVPC. The drafting of a collaborative agreement will continue in 2014-15.

### **Contribution to the implementation of the *ACT Property Crime Reduction Strategy 2012-15***

Victim Support ACT and the Victims of Crime Commissioner agreed to contribute to the *ACT Property Crime Reduction Strategy 2012-2015*. Under Objective 5 – research, advice, community capacity building, there were two key actions.

The first commitment has the VoCC as the lead agency to 'undertake research to enhance services and support provided to victims of property crime'. During 2013-14, a number of unsuccessful attempts were made to secure a university student to conduct the research.

A previous report *Crime Victims and the Prevention of Residential Burglary* was published in 2004 and I believe that this report contributes valuable information for the ACT Strategy in the absence of a new research project.

7 J Ferguson, 'Victorian Labor leader promises domestic violence commission', <http://www.theaustralian.com.au/national-affairs/state-politics/victorian-labor-leader-promises-domestic-violence-commission/story-e6frgczx-1226921159920>

8 A Davies, 'Bravehearts join with labor on domestic violence commission', <http://www.sunshinecoastdaily.com.au/news/Bravehearts-join-with-Labor-on-domestic-violence-c/2261679/>



For the second commitment, VSACT seeks to provide 'prevention advice about risk indicators and target hardening strategies to victims and repeat victims'. During 2013-14, the Side by Side staff/ volunteers distributed 534 information guides. The yearly target is 500 'protecting your home' guides distributed.

## **Contribution to the Financial Assistance Scheme Review**

As discussed in last year's annual report, the ACT Government released an issues paper on the ACT victims of crime financial assistance scheme in response to a report by the Ombudsman. The intention of this paper was to review the administrative arrangements for progressing applications for financial assistance under the *Victims of Crime (Financial Assistance) Act 1983*.

Victim Support ACT has been heavily involved in the working group established to oversee the financial assistance scheme review. This working group consists of representatives from Legislation, Policy and Programs (ACT Justice and Community Safety Directorate), Victim Support ACT, the ACT Government Solicitor's Office, the ACT Law Courts and Tribunal and ACT Treasury.

During 2013-14, the working group:

- considered and advised on the policy and practical implications of the outcomes of the responses to the issues paper;
- contributed to a report to the Attorney-General about options for reform of the current scheme, having regard to the responses to the issues paper, and any other relevant information;
- assisted in the design of a new model for stakeholder comments;
- analysed the feedback from stakeholders making changes to the proposed model; and
- modelled the budget for the proposed scheme.

The financial assistance scheme review will continue to be a major activity for Victim Support ACT and the Victims of Crime Commissioner in 2014-15.

## **Contributions to the Royal Commission**

Victim Support ACT contributed to the work of the Royal Commission into Institutional Responses to Child Sexual Abuse during 2013-14 in the following ways:

- The VoCC is a member of the ACT Working Party for the Royal Commission into Institutional Responses to Child Sexual Abuse established by Chief Ministers and Treasury Directorate.
- The VoCC produced a submission to the Royal Commission in relation to Issue Paper 7, statutory victims of crime compensation schemes.
- Victim Support ACT reviewed over 450 archived and current client files in response to a Notice to Produce to provide information to the Royal Commission relating to Financial Assistance Scheme application processes.
- Provided staff to assist the Territory to review several thousand files from the Government Solicitor's Office in response to the same notice to produce.

The Royal Commission held a two week public hearing in Canberra commencing Tuesday 10 June 2014. The hearing looked into the response of the Marist Brothers to allegations of child sexual abuse in schools in the ACT, NSW and Queensland.

The hearings in Canberra focussed on allegations regarding Brother John Chute (also known as Brother Kostka) and former Marist Brother Gregory Sutton. Chute was jailed in 2008 after pleading guilty to offences committed when he was a teacher at Marist College Canberra, between 1985 and 1989.

The many victims of Brother Chute and Brother Sutton welcomed this public hearing, after years of agitation for proper and full investigations into the abuse they experienced.

On the 30 June 2014, the Royal Commission presented their first interim report to His Excellency General the Honourable Sir Peter Cosgrove AK MC (Retd) Governor-General of the Commonwealth of Australia, and to their Excellencies the Governors of New South Wales, Victoria, Queensland, Western Australia, South Australia and Tasmania.

The Report highlighted that child sexual abuse involves many different behaviours. There is no single profile of a typical victim or perpetrator, nor can the impacts be easily defined or applied to all survivors. However, there are trends we can learn from, and systems that institutions can put in place to better identify risks and protect children in the future.

The Royal Commission into Institutional Responses to Child Sexual Abuse is a landmark event for Australian victims of child sexual assault. I am confident that it will result in significant recommendations for improvements to our institutions, justice systems and services. I look forward to participating in the future work of the Commission.

## Victims of Crime Commissioner advocacy

The Victims of Crime Commissioner is the primary advocate for victims of crime in the ACT. A good deal of the advocacy work of the VoCC involves seeking systemic changes in the criminal justice system. The following is an example of the systemic advocacy work undertaken by the VoCC.

### ***Victims of Crime Commissioner advocacy case example'***

The sentencing of Shane Williams to 7½ years' imprisonment in January for the sexual assault of a three year old girl in a public library caused an outcry from sections of the community because of the perceived leniency of the sentence.

The Director of Public Prosecutions appealed the sentence on the grounds it was manifestly inadequate. Following the initial sentencing, a Canberra mum's support group launched an on-line petition to call for tougher sentencing for child sex offences. Over 16,000 people signed the petition, which was presented to Government on 13th February 2014.

The Attorney-General then met with representatives of the group to hear their concerns.

I contacted one of the group's representatives to better understand the details of the group's concerns. The issues that were identified as needing a response were:

1. How many other known/convicted repeat sex offenders are currently within the ACT community and how are their risks being managed.
2. Why aren't prohibition orders being used to manage these risks (as provided for under the Crimes (Child Sex Offenders) Act 2005.
3. How effective are the sex offender treatment programs in the ACT.
4. How can authorities better report on the effectiveness of these programs, including how many offenders went into the programs, how many completed them and how many went on to have fresh offences recorded.

In addition, the Canberra Mum's Group asked the Government to consider reviewing sentencing practices for sex offenders and the impact of court processes upon victims.

In response to the group's concerns I have committed to seek a response from the Government, ACT Policing and ACT Corrective services regarding the use of prohibition orders and the management and treatment of sex offenders in our community.

Under section 11 of the *Victims of Crime Act 1994*, the Victims of Crime Commissioner (VoCC) has several functions in connection with the administration of justice. Three of these functions include advocating for the interests of victims, monitoring and promoting compliance with the governing principles and ensuring victims receive the information and assistance they need in connection with their involvement in the administration of justice. While case managers undertake these functions with clients of Victim Support ACT on a daily basis, the VoCC is called on to work one on one with some of these more complex cases. In this reporting period, the VoCC assisted 30 victims of crime with information, advocacy or responding to a concern. Table 16 shows the breakdown of the type of support these clients required.

**Table 16: Type of VoCC involvement**

Type of Involvement	2013-14
Information	5
Advocacy	20
Concern regarding compliance with Governing Principles	5

Of these 30 clients, 16 were closed over the reporting period due to assistance being completed and 14 will be carried over to the next reporting period as the assistance required is ongoing.

**Table 17: Crime type of VoCC clients**

Crime type	2013-14
Domestic Violence	9
Sexual Assault	6
Assault	11
Relative of victim	3
Homicide family member	1

In general when responding to individual concerns, I wrote to criminal justice agencies seeking information, advocating for the individual circumstances of each case and helping to identify resolutions to the concerns raised with me.

Where required, I made referrals to relevant complaints entities such as the ACT Policing Professional Standards and the Ombudsman.

Other outcomes for clients included:

- a referral to the Aboriginal Justice Centre;
- facilitation of meetings with clients and senior criminal justice agency staff;
- advocacy letters to a range of authorities;
- advocacy on behalf of a victim of crime at the ACT Civil and Administrative Tribunal; and
- referrals to the Fine Enforcement Unit at the ACT Magistrates Court.

## Promoting reforms to meet the interests of victims

### ***Submission to the sentencing inquiry***

In September 2013, I provided a submission to the Standing Council Committee on Justice and Community Safety Inquiry into Sentencing (the Committee). I raised the following issues in my submission:

- delays in handing down decisions and sentences;
- the operation of section 149 of the *Crimes (Sentence Administration) Act 2005* that provides for the automatic cancellation of parole and return to full-time custody if a parolee is convicted of an offence punishable by imprisonment;
- supporting the need to preserve the presumption against bail as it relates to domestic violence offences in the *Bail Act 1992*;
- the expansion of restorative justice into our adult criminal justice system; and,
- the availability of suspended sentences for serious offence types and the need to assess and consider the management of breaches of good behaviour orders related to suspended sentences.

### ***Alcohol related violence***

The issue of alcohol related violence was in the media spotlight throughout Australia and in the ACT during 2013-14. In September 2013, a review of the impact of the reforms to the *Liquor Act 2010* (ACT) (the Act) commenced. In November 2013, I provided input on the draft report prepared by ACIL Allen Consulting.

While the majority of stakeholders considered the Liquor Act to have made a positive contribution to community safety, there remain a number of outstanding issues that permeate throughout the sector. Some of the major concerns include the following:

- There remains a persistent level of alcohol-related violence and anti-social behaviour that is unacceptable to the community. This offensive behaviour persists despite the reforms included in the Act to specifically address this issue.
- There is a concern among health services about young people needing ambulance treatment for alcohol-related problems and an increasing level of acute alcohol-related emergency department presentations.
- Stakeholders reported a culture of preloading alcohol in the ACT. Given research that indicates preloading is a major barrier to minimising alcohol-related harms, the incidence of preloading will ultimately limit the effectiveness of the Act and its supporting measures.

The adoption of a risk based approach to licensing was viewed as positive step, however there remain further opportunities to adopt a more sophisticated approach to better identify and target high risk venues.<sup>9</sup>

While there have been improvements regarding alcohol-related violence and anti-social behaviour across the ACT generally, there was a clear peak in reported alcohol-related assaults in the period between midnight and 6.00am in the City. Furthermore, in contrast to the general trend, there has been an increase in the number of assaults occurring on licensed premises in the City. The number of reported alcohol-related assaults occurring in the City, as a proportion of reported alcohol-related assaults, has increased over the last three years. However, this data set is small (an average of 6 assaults per month) and needs to be considered in the context of an increased police presence in Civic coinciding with the reforms and the implications that this has for the number of incidents being reported.<sup>10</sup>

The ACT needs to give consideration to tougher measures to address alcohol related violence in the City. This includes consideration of introducing lock-outs, earlier closing times, increased police powers and on-going data collection and reporting of alcohol related incidents, including ambulance and hospital data, to inform future reform activity.

I have asked that the Government urgently reviews its current response to alcohol related violence to send a strong message to our community that the levels of intoxication and resulting harm will no longer be tolerated.

### ***Double Jeopardy law reform***

I first provided comments on double jeopardy law reform in the form of a submission to the Justice and Community and Safety Directorate in June 2011. This was in response to an issues papers prepared by the Office of the Director of Public Prosecutions. All other Australian jurisdictions have made important changes to double jeopardy laws. In May 2014, I again raised my concerns about the lack of reform to double jeopardy laws in the ACT. As the law currently stands in the ACT, a person once acquitted of a crime can openly declare their guilt, no matter how serious the crime, and be protected from prosecution.

Victims generally have difficulty accepting that after conviction, offenders have the right to appeal their convictions on questions of law, or to open lines of inquiry in relation to their conviction, while there is no right given to the prosecution to challenge an acquittal when fresh and compelling evidence is identified.

If it is acceptable to allow fresh evidence to be considered on appeal in order to overturn a wrongful conviction, then surely it is also reasonable to allow fresh evidence to be considered in order to overturn a wrongful acquittal. This is an issue I will pursue further in 2014-15.

<sup>9</sup> ACIL Allen Consulting, Two Year Review: ACT Liquor Laws and Licensing Fees, 2014, p vi.

<sup>10</sup> Ibid, p v

## Education and other programs to promote awareness

I have engaged in a number of activities to educate the community about the rights and needs of victims of crime in the ACT. These activities included:

- Developing a regular and relevant presence on social media through the Victims of Crime Commissioner Twitter account (@ACT\_VOCC).
- Participating in the 2014 Vinnies CEO Sleepout. With support from the Victim Support ACT team and the Justice and Community Safety Directorate, I raised over \$2,400 for homelessness services.
- Collaborating with the leaders of the Domestic Violence Crisis Service, Women's Centre for Health Matters and Canberra Rape Crisis Centre on ABC television's 730ACT. The extended interview was a call to action for the Canberra community to do more to prevent violence against women and children.
- Engaging with the media on a range of matters.

## B.2.6 Strategic Goal 4: Build and support staff capability

### Staff development

At Victim Support ACT we strive to ensure that staff members have access to up-to-date training in best practice service delivery approaches. We facilitate a set of in-house training activities for the clinical team each year. In August 2013, the Australian Centre for Posttraumatic Mental Health presented a workshop for VSACT on Trauma Focussed Therapy Working with Adults. In November 2013, Adults Surviving Child Abuse (ASCA) presented a one-day advanced training on working therapeutically with adult survivors of complex trauma.

In June 2013, staff attended a two day 'Single Session Work'<sup>11</sup> training course presented by the Bouverie Centre. The 'single-session' approach seeks to provide a structure for counselling and casework interactions that maximise the usefulness of each contact. Evaluations of the single session approach have found that it can lead to more timely, responsive and client-centred practices. In 2014-15 we plan to explore ways of integrating the approach into service delivery practices, procedures and policies where appropriate.

<sup>11</sup> The term 'single session' may be misleading. The goal of the approach is not to limit interactions with clients to one session, rather the goal is to ensure that each interaction is focused on the most pressing issues for the client at that time.

In May 2014, Karen England from the Time Out Learning and Dyslexia Centre provided training to case managers in relation to learning and schooling problems for children and young people with trauma. The training enabled case managers to gain insight into the challenges traumatised children and young people face at school and how to assist their learning.

Staff members are supported to identify individual training needs in their annual workplace Personal Achievement and Development Plans (a list of training attended in 2013-14 appears below). Training choices incorporate the requirements for membership of relevant professional associations (Australian Association of Social Workers, Psychotherapy and Counselling Federation of Australia, and Australian Psychological Society). The wide range and diversity of courses attended reflects the complexity of the work with victims of crime.

**Table 18: Staff training attended in 2013-2014**

<b>Client Service Training</b>	<b>Participants</b>
<b>Adolescents and Youth</b>	1
<b>Bridging the Gap Between Research and Practice</b>	1
<b>Children and Domestic Violence</b>	1
<b>Children and Parents with Mental Illness</b>	1
<b>Clinical Supervision</b>	1
<b>Complex Trauma and Mental Health</b>	1
<b>Domestic Violence Alert Workshop</b>	1
<b>Mental Health and Wellbeing for Young People</b>	2
<b>Techniques of Grief Therapy</b>	2
<b>Trauma Focussed Therapy Training</b>	13
<b>Understanding the Neurobiology of Complex Trauma</b>	1
<b>Working with Adult Survivors of Complex Trauma</b>	11
<b>Working with Adults Anxiety and Depression</b>	1



**Table 19: Management & Administration Training in 2013-14**

Management & Administration Training	Participants
Cultural Awareness Training	6
Creating Accessible Word Documents	2
Dealing Effectively with Unacceptable Employee Behaviour	2
First Aid	2
Fraud and Ethics Awareness	2
Freedom of Information	1
HR Master Class	1
Human Rights for ACT Public Authorities	2
Introduction to Legislative Assembly	1
Justice and Community Safety Induction	3
Oracle	1
RED Framework	6
TRIM (electronic information management system)	2
Understanding Legislation	2

**Table 20: Staff at Conferences in 2013-14**

Conferences	Participants
ACT Youth Affairs Conference	1
Homicide Symposium	1
Sentencing Conference	1
National Victims of Crime Conference	4

Another core activity of clinical staff members is a monthly clinical meeting. During 2013-14 these meetings focussed on positive psychology, mindfulness, solution-focussed approach to working with clients, the Mulberry Street program (working with children), compassion fatigue and working with complicated grief and loss.

Another aspect of staff development at Victim Support ACT involves clinical supervision (often called professional supervision). The clinical supervision process is an integral component of quality control for service delivery and the primary intention of the interaction is to enhance the knowledge, skills and attitudes of the clinician.

## B.2.7 Strategic Goal 5: Improve systems and processes

### ***Database and data collection enhancements***

The Victim Support ACT client database runs off a Microsoft Access platform. In 2013-2014 a Microsoft Access specialist was engaged to identify specific tasks and functions that could be streamlined using the database. Below is a description of some of the most useful changes that were made to the database functionality during 2013-14..

- An interface was added to the client database resulting in a more efficient and reliable workflow for the Early Intervention Team.
- The database was amended to automatically generate standard letters and forms using information already available in the database.
- Changes to the Access database enhanced data collection and reporting capabilities.
- A Financial Assistance Scheme (FAS) interface was developed.
- An interface to record complaints and concerns by clients about a failure to comply with the governing principles and/or Victims of Crime Commissioner involvement in a particular matter was developed.
- A new tool to assist the Administration Manager with scheduling archival and disposal of files was created.
- A new interface was developed that maintains a register of all service providers engaged by Victim Support ACT and the Victims Services Scheme.

## B.3 Community Engagement and Support

Refer to section B.2.2.

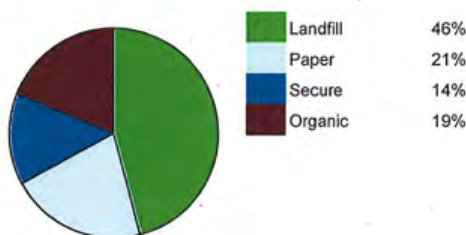
## B.4 Ecologically Sustainable Development

### **ACT Smart Accreditation**

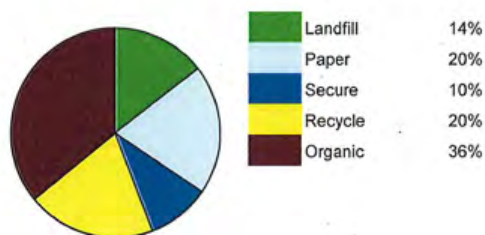
During 2013-2014 Victim Support ACT gained ACT Smart Accreditation for Office Recycling and Waste Management. Staff members took up the cause with impressive commitment - between 3 Dec 2013 and 3 March 2014 we reduced waste to landfill from 46% to 14%. Our score card is shown in Image 4.

ACTSmart Office Scorecard Justice & Community Safety - ACAT & VSACT - 1 Moore Street As of 11 March 2014									
Joined Program: 20-Sep-2010				Accredited:		Audits Completed: 1			
First Audit: 03-Dec-2013					Latest Audit: 03-Mar-2014				
		Annual		Annual			Annual		Annual
Waste	Annual		CO2 Equiv	CO2 Equiv	Waste	Annual		CO2 Equiv	CO2 Equiv
Stream	Waste	Weight	Emissions	Emissions	Stream	Waste	Weight	Emissions	Emissions
	in	in	in	Avoided		in	in	in	Avoided
	M3	Tonnes	Tonnes	Tonnes		M3	Tonnes	Tonnes	Tonnes
Landfill	3.9	0.6	0.6	0	Landfill	2.1	0.3	0.3	0
Paper	1.8	0.2	0	0.5	Paper	2.9	0.3	0	0.7
Cardboard	0	0	0	0	Cardboard	0	0	0	0
Secure	1.2	0.1	0	0.3	Secure	1.4	0.1	0	0.4
Recycle	0	0	0	0	Recycle	2.9	0.2	0	0.2
Organic	1.6	0.5	0	0.9	Organic	5.2	1.8	0	2.9

Initial Audit Composition



Latest Audit Composition



Cubic Metres of Waste by Stream - Initial Audit (Upper Bar) vs Latest Audit (Lower Bar)

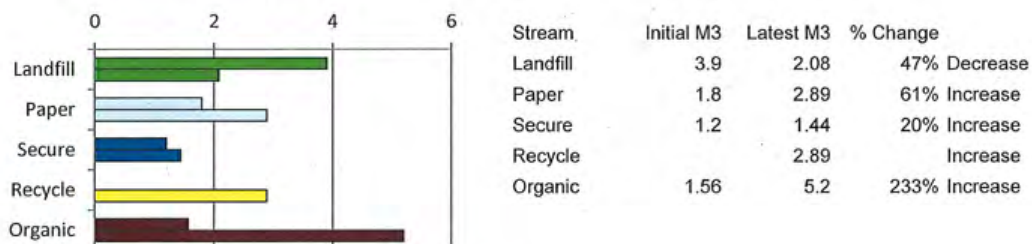


Image 4: The ACT Smart Scorecard for Victim Support ACT



Image 5: Victim Support ACT receiving ACT Smart recognition

## C. Governance and Accountability Reporting

Information (where relevant) regarding the following areas are contained in the Annual Report of the ACT Justice and Community Safety Directorate:

- C.1 Internal Accountability**
- C.2 Risk Management and Internal Audit**
- C.3 Fraud Prevention**
- C.4 Legislative Assembly Inquiries and Reports**
- C.5 Auditor-General and Ombudsman Reports**

## D. Legislation Based Reporting

Information (where relevant) regarding the following areas are contained in the Annual Report of the ACT Justice and Community Safety Directorate:

- D.1 Public Interest Disclosure**
- D.2 Freedom of Information**
- D.3 Human Rights Act Basis of requirement**
- D.4 Territory Records Act**
- D.5 Model Litigant Guidelines**
- D.6 Notices of Non Compliance**
- D.7 Bushfire Risk Management**
- D.8 Commissioner for the Environment**

# E. Human Resources Management Reporting

Information (where relevant) regarding the following areas are contained in the Annual Report of the ACT Justice and Community Safety Directorate:

**E.1 Human Resources Management**

**E.3 Work Health and Safety**

**E.4 Workplace Relations**

## E.2 Learning and Development

Learning and development is reported on in section B.2.6 of this annual report.

## E.5 Staff Profile

Table 21: VSACT FTE and headcount by gender 2013-14

Measure	Female	Male	Total
Full Time Equivalent	13.7	1.3	15
Headcount	16	2	18
Percentage of workforce (based on headcount)	89%	11%	100%

Table 22: VSACT headcount by classification and gender 2013-14

Classification groups	Female	Male	Total
Administrative officers	3	0	3
Health Professional Officers	11	0	11
Senior Officers	2	1	3
Statutory Office Holders	0	1	1
Total	16	2	18

**Table 23: VSACT headcount by employment category and gender 2013-14**

Employment category	Female	Male	Total
Casual	0	1	1
Permanent Full-time	9	0	9
Permanent Part-time	3	0	3
Temporary Full-time	2	1	3
Temporary Part-time	2	0	2
<b>Total</b>	<b>16</b>	<b>2</b>	<b>18</b>



## F. Financial Management Reporting

Information (where relevant) regarding the following areas are contained in the Annual Report of the ACT Justice and Community Safety Directorate:

**F.1 Financial Management**

**F.2 Financial Statements**

**F.3 Capital Works**

**F.4 Asset Management**

## F.5 Government Contracting

### Approved Service Providers

A tender evaluation process for approved service providers was undertaken in February 2014 resulting in five new service providers being approved and registered with Victim Support ACT. A review of the tender and approval process was also conducted resulting in a streamlined approval process for a rolling intake of service providers. Currently there are 36 approved service providers on VSACT's books.

During the current reporting year an additional 14 Authorised Exception providers were approved to deliver services to people victimised in the ACT but resident elsewhere.

The fee schedule to approved services providers was reviewed in 2013-14. From 1 July 2014, the fees paid to Approved Providers will be increased by 5% - see table 22 for new fee schedule.

**Table 24: Approved Service Provider Fees from 1 July 2014**

<b>Discipline</b>	<b>Rate per hour Per unit of service</b>
<b>Psychologist</b>	\$136 per hour ie \$34.00 per 15 minute unit
<b>Counsellor</b>	\$136 per hour ie \$34.00 per 15 minute unit
<b>Social Worker</b>	\$136 per hour ie \$34.00 per 15 minute unit
<b>Physiotherapy – GST free</b>	\$124 per hour ie \$31.00 per 15 minute unit
<b>Massage Therapy</b>	\$91 per hour ie \$22.75 per 15 minute unit
<b>Occupational Therapy</b>	\$124 per hour ie \$31.00 per 15 minute unit
<b>Acupuncture</b>	\$91 per hour ie \$22.75 per 15 minute unit
<b>Chiropractor</b>	By negotiation on case by case basis
<b>Naturopathy</b>	\$124 per hour ie \$31.00 per 15 minute unit
<b>Educational Assessment Tutoring</b>	\$161 \$70 per hour

A total of 1671 hours of private professional service was delivered to clients of the Victim Services Scheme at a cost of \$228,573.

### **Communities@Work Contract**

Communities@Work is contracted to deliver a volunteer program to victims of crime as part of the Victims of Crime Commissioner's functions, at a cost of \$173 000 (exclusive of GST) per annum.

## **F.6 Statement of Performance**

Refer to Section B.2.2 for Victim Support ACT performance against the accountability indicator for 2013-14.



